

MEMORANDUM

IMFR
Agenda Item No. 2C

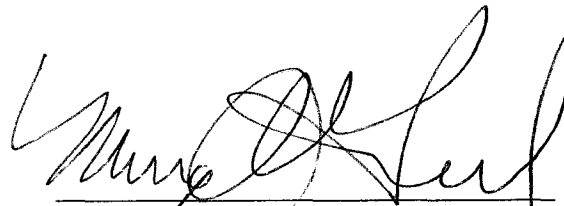
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 14, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution providing for
continuation of health
insurance benefits for
retired executive employees
and elected officials

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Barbara J. Jordan.



Murray A. Greenberg
County Attorney


MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez **DATE:**
and Members, Board of County Commissioners

FROM: 
Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.

RESOLUTION NO. _____

RESOLUTION PROVIDING FOR THE CONTINUATION OF
HEALTH INSURANCE BENEFITS FOR EXECUTIVE
EMPLOYEES AND ELECTED OFFICIALS AFTER
RETIREMENT

WHEREAS, this Board recognizes that providing continuing health insurance benefits to executives and elected officials after retirement facilitates the recruitment and retention of qualified executives and elected officials; and

WHEREAS, the provision of such benefits serves as an incentive for the retirement of executives when they become eligible for full Florida Retirement System benefits; and

WHEREAS, such retirements allow for the reduction of salary costs; and

WHEREAS, the County has in the past provided such benefits pursuant to the Departure Incentive Program created by Resolution R-1283-92, as amended by Resolution R-1589-94; and

WHEREAS, eligible employees have based retirement decisions upon the expectation of receiving the benefits of the Departure Incentive Program; and

WHEREAS, the Commission finds that such benefits were not provided consistently in the past and wishes to correct such inconsistencies to ensure compliance with the Departure Incentive Program's original intent; and

WHEREAS, this Board desires to replace the Departure Incentive Program with a more limited, less costly but more equitable continuing health insurance benefit for qualified executives and elected officials,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The Departure Incentive Program created by Resolution R1283-92, as amended by Resolution R 1589-94 and continued thereafter is hereby eliminated. Persons currently receiving benefits under that program shall continue to receive benefits under the program under the terms previously in existence.

Section 2. The Executive Continuing Health Insurance Program (ECHIP) is hereby established on the following conditions:

(a) The ECHIP shall be available to the following County employees and officials, who resign, retire or leave office in good standing:

(1) employees and officials who have been employed by the County for at least twenty continuous years, have been Group 1 executives for at least six years, and who are eligible for full FRS retirement benefits; and

(2) elected officials who have served for at least five years.

Employees or officials accused of misconduct in office, unsatisfactory performance or otherwise acting contrary to the County's interests shall not be considered in good standing and shall not be eligible for ECHIP benefits.

(b) Each eligible employee or official will be covered by the ECHIP unless the employee or official declines coverage in writing at the time of retirement from the County.

(c) The ECHIP shall provide for 10 years of County authorized dependent health insurance coverage or a \$500 per month payment, as chosen by the employee or official at the time of retirement from the County.

(d) An employee or official may choose to switch from dependent health coverage to the monthly monetary payment at any time. However, once an employee or official chooses the

monthly monetary payment, the employee or official will not be eligible to receive dependent health insurance.

(e) The ECHIP shall be available to persons meeting the eligibility requirements of Section 2(a) and who have retired or will retire on or after October 1, 2004.

(f) All persons meeting the conditions of Sections 2(a) and 2(e) and who have retired prior to the effective date of this resolution shall have the opportunity to participate in an open enrollment period for ECHIP benefits.

(g) Once in the ECHIP, subject to the condition in Section 2(c) above, participants shall remain in the health insurance coverage plan in which they have enrolled for the duration of the program except in the case of hardship, as determined by the County Manager, or unless the health insurance plan is eliminated by the County, at which time they shall have the same options as existing employees.

(h) Benefits under ECHIP shall begin for persons who have retired previous to the effective date of this resolution on January 1, 2006, and on the date of retirement for persons retiring after the effective date of this resolution.

(i) In the event of the death of a participant in the ECHIP, insurance coverage for any dependents will remain in force for the remainder of the participant's eligibility for the ECHIP, or, at the beneficiary's choice, the benefit may be converted to the monthly monetary payment.

(j) Persons separating from County service who have had benefits denied or deferred under County Code Section 2-56.30 through 2-56.33, shall not be eligible for ECHIP benefits, unless and until they are subsequently granted the benefits denied or deferred under those sections of the Code.

(k) For any person who is participating in the ECHIP Program and who is hired as a County employee in a position eligible for group health insurance benefits or who becomes an

elected County official eligible for group health insurance benefits, the ECHIP Program benefits shall be suspended for the period of time the person is employed or in elected office. The benefits shall be reinstated for the remainder of the ECHIP Program benefit period following the employee's leaving County employment or elected office.

Section 3. Persons who have been authorized to receive the benefit of the DIP program shall continue to be covered under the DIP program and are not eligible for the ECHIP program. The County Manager is directed to prepare, within sixty (60) days, an administrative order formalizing the ECHIP program, which administrative order, once reviewed by the County Attorney, shall be considered approved without further Board action. The ECHIP program will be effective, and employees or officials covered, prior to the completion of the Administrative Order under the terms of the sections above.

The foregoing resolution was sponsored by Commissioner Barbara J. Jordan and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	


The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of November, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Murray A. Greenberg